

R e m a r k s

Claims 1, 4-7, 9, 10, 13-16, 18 and 27-30 are pending in the application.

Claims 1, 4-7, 9-10, 13-16 are allowed.

Claims 20-26 are objected to.

Claims 18 and 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roy (EP0926916A2, hereinafter "Roy") in view of Fukagawa et al. (US 6,188,913 B1, hereinafter "Fukagawa").

Each of the various rejections and objections are overcome by amendments that are made to the specification, drawing, and/or claims, as well as, or in the alternative, by various arguments that are presented.

Any amendments to any claim for reasons other than as expressly recited herein as being for the purpose of distinguishing such claim from known prior art are not being made with an intent to change in any way the literal scope of such claims or the range of equivalents for such claims. They are being made simply to present language that is better in conformance with the form requirements of Title 35 of the United States Code or is simply clearer and easier to understand than the originally presented language. Any amendments to any claim expressly made in order to distinguish such claim from known prior art are being made only with an intent to change the literal scope of such claim in the most minimal way, i.e., to just avoid the prior art in a way that leaves the claim novel and not obvious in view of the cited prior art, and no equivalent of any subject matter remaining in the claim is intended to be surrendered.

Also, since a dependent claim inherently includes the recitations of the claim or chain of claims from which it depends, it is submitted that the scope and content of any dependent claims that have been herein rewritten in independent form is exactly the same as the scope and content of those claims prior to having been rewritten in independent form. That is, although by convention such rewritten claims are labeled herein as having been "amended," it is submitted that only the format, and not the content, of these claims has been changed. This is true whether a dependent claim has been rewritten to expressly include the limitations of those claims on which it formerly depended or whether an independent claim has been rewriting to include the limitations of claims that previously depended from it. Thus, by such rewriting no equivalent of any subject matter of the original dependent claim is intended to

be surrendered. If the Examiner is of a different view, he is respectfully requested to so indicate.

Rejections Under 35 U.S.C. 103(a)

Claims 18 and 27-30

Claims 18 and 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roy (EP0926916A2, hereinafter "Roy") in view of Fukagawa et al. (US 6,188,913 B1, hereinafter "Fukagawa").

Claim 18 has been amended to further clarify Applicants' invention, and recites, in part:

"directing energy of respective primary EM fields along azimuthal directions to each of the terminals, the energy of the primary EM field directed to each terminal being a function of the locations and acceptable receive strengths of at least two of the terminals, wherein an acceptable receive strength for a terminal comprises an EM field strength at least as large as, but not significantly larger than, the EM field strength needed for that terminal to receive the signal carried by the EM field; and wherein the primary EM field directed at one terminal induces a secondary EM field at at least another terminal, and the primary and secondary EM fields at each terminal are added in phase to provide the composite EM field having a strength equal to the acceptable receive strength."

Support for the amended language in claim 18 can be found, for example, on page 11, line 19 to page 12, line 2. Thus, no new matter has been added by this amendment.

Applicants submit that, Roy and Fukagawa singly or in combination do not teach or suggest Applicants' invention as a whole.

Furthermore, portions of Roy (e.g., Fig. 3, mobile terminal 20 receiving signal S1+S2+S3, Paragraph 0088) cited in the Office Action as disclosing certain features of Applicants' invention such as the amount of energy directed to each terminal being a function of the locations and acceptable receive strengths of at least two of the terminals, actually teach away from Applicants' invention.

Specifically, Roy's Fig. 3 illustrates a disadvantage of current wireless communication systems in which a terminal receives a combination of multiple signals transmitted at the same carrier frequency from one base station (see paragraph 0051). Thus, one embodiment of Roy's invention overcomes this "multiple signal reception problem" by combining the signals with a spatial multiplexer "so as to eliminate all cochannel interference

at the wireless units" such that "wireless unit (20) receives none of the signal being transmitted to units (22) or (24) (see para. 0053, emphasis added).

As such, not only does Roy not teach the features of Applicants' claim 18 where the the energy of the primary EM field directed to each terminal is a function of the locations and acceptable receive strengths of at least two of the terminals, Roy specifically teaches that each wireless unit does not receive any signal being transmitted to other units. That is, Roy teaches away from Applicants' invention where "the primary EM field directed at one terminal induces a secondary EM field at at least another terminal, and the primary and secondary EM fields at each terminal are added in phase to provide the composite EM field having a strength equal to the acceptable receive strength" as recited in claim 18.

Therefore, it is respectfully submitted that Roy fails to teach, disclose or suggest Applicants' claim 18.

Furthermore, Fukagawa fails to bridge a substantial gap between Roy and Applicants' invention. Fukagawa is used solely to offer a teaching of azimuth direction radiation. Regardless of whether this teaching is valid, there is still no teaching or suggestion overall in the references of directing energies as a function of locations and acceptable receiving strengths of other terminals, or having primary and secondary EM fields at each terminal being added in phase, as in Applicants' invention.

Thus, Roy and Fukagawa, alone or in combination, fail to teach or suggest Applicants' invention as a whole. As such, the amended claim 18 is patentable over Roy and Fukagawa.

Since claims 27-30 depend, either directly or indirectly from the currently amended claim 18, and include all of the limitations of the independent claim from which they ultimately depend, each such dependent claim is also allowable over Roy in view of Fukagawa.

Therefore, Applicants' claims are allowable over Roy and Fukagawa under 35 U.S.C. 103(a). Accordingly, Applicants respectfully request that the Examiner's rejection be withdrawn.

Allowable Subject Matter

Claims 1, 4-7, 9-10, and 13-16 are allowed.

Claims 20-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants thank the Examiner for indicating the allowable subject matter with respect to claims 20-26. Claim 22 has been amended to further clarify the claim language. Claims 20 and 26 have been rewritten in independent form by incorporating substantially similar language from the previously presented claim 18. No new matter has been added.

Applicants submit that independent claims 20 and 26 are patentable in their present form. Since claims 21-25 depend either directly or indirectly from amended claim 20, they are also patentable in their present dependent form.

Conclusion

It is respectfully submitted that the Office Action's rejections have been overcome and that this application is now in condition for allowance. Reconsideration and allowance are, therefore, respectfully solicited.

If, however, the Examiner still believes that there are unresolved issues, the Examiner is invited to call Eamon Wall at (732) 530-9404 so that arrangements may be made to discuss and resolve any such issues.

Respectfully submitted,

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